

JOURNAL OF THE HOUSE

First Regular Session, 93rd GENERAL ASSEMBLY

FORTY-NINTH DAY, WEDNESDAY, APRIL 6, 2005

The House met pursuant to adjournment.

Speaker Pro Tem Bearden in the Chair.

Prayer by Reverend James Earl Jackson.

Heavenly Father, You have declared to us in Your Word “those who seek Your help have all the good things they need.”

So we seek Your help and receive wisdom for the tasks at hand.
We seek Your help and receive protection from harm.
We seek Your help and receive peace for our soul when in fear.
We seek Your help and receive strength of conviction when falsely accused.

Let not the footstep of pride overtake us as we seek to do good and finish our course.

May we persevere and hold up against stress and weariness brought on by long hours and continual pressures.

Now unto You be glory, majesty, dominion and authority, before all time, now and forever.

In the name of Your Son we pray. Amen.

The Pledge of Allegiance to the flag was recited.

The Speaker appointed the following to act as Honorary Pages for the Day, to serve without compensation: Bayley A. Flint, Staci Sims, Kim Tohl, David Hegger, Kyle Donley, Everett Mertens, Heather Mertens, Emmy Mertens, Alex Clark, Jessica Barkas, Rachele Crider, Lauren Haer, Jill Haer, Khrystyne Stiens, Amber Lewis, Kyle Parrish, Rachel McEnaney, Andie Jo Cassity, Rachel Ann Earley, Stephan Robert Franke, Whitney Danielle Hoyt, Parker Leatherman, Whitney Rose Rinehart, Steven John Taylor, Danee Douglas, David Martin, Ian Kreher, Baillie James, Michael Barry, Meg Endicott, Tim Fagan, Madison Polk, Seth McGinnis, Mallory Wiskur, Jimmy Blundell, Emilee Thompson, Heidi Clark, Courtney Robinson, Cody Korson, Zach Urhahn, Kevin Walterbach, Lara Kerwin, Chris Roth and Felicia Ramirez.

The Journal of the forty-eighth day was approved as printed.

HOUSE COURTESY RESOLUTIONS OFFERED AND ISSUED

House Resolution No. 1864	-	Representative Donnelly
House Resolution No. 1865		
and		
House Resolution No. 1866	-	Representative Donnelly, et al.
House Resolution No. 1867	-	Representative Wilson (119)
House Resolution No. 1868	-	Representative Bearden
House Resolution No. 1869		
and		
House Resolution No. 1870	-	Representative Cunningham (145)
House Resolution No. 1871		
through		
House Resolution No. 1884	-	Representatives Dempsey and Faith
House Resolution No. 1885		
through		
House Resolution No. 1898	-	Representative Sander
House Resolution No. 1899		
and		
House Resolution No. 1900	-	Representative George
House Resolution No. 1901	-	Representative Denison
House Resolution No. 1902		
and		
House Resolution No. 1903	-	Representative Whorton
House Resolution No. 1904		
and		
House Resolution No. 1905	-	Representative Johnson (61)
House Resolution No. 1906	-	Representative Donnelly
House Resolution No. 1907	-	Representative Avery
House Resolution No. 1908	-	Representative Lembke, et al.
House Resolution No. 1909	-	Representative Sander
House Resolution No. 1910		
and		
House Resolution No. 1911	-	Representative Wilson (119)
House Resolution No. 1912	-	Representative Salva
House Resolution No. 1913		
through		
House Resolution No. 1916	-	Representative Wilson (130)
House Resolution No. 1917		
through		
House Resolution No. 1919	-	Representative Witte
House Resolution No. 1920		
through		
House Resolution No. 1929	-	Representative Day
House Resolution No. 1930		
through		
House Resolution No. 1934	-	Representative Cooper (158)

House Resolution No. 1935
 and
 House Resolution No. 1936 - Representative Kraus
 House Resolution No. 1937 - Representative Lager
 House Resolution No. 1938
 through
 House Resolution No. 1942 - Representative Dougherty
 House Resolution No. 1943
 through
 House Resolution No. 1953 - Representative Schad
 House Resolution No. 1954 - Representative Roorda

SECOND READING OF SENATE BILLS

SS SCS SB 168 and **SS SCS SB 462** were read the second time.

THIRD READING OF HOUSE BILL - FEDERAL MANDATE

HB 738, relating to real estate appraisers, was taken up by Representative Behnen.

On motion of Representative Behnen, **HB 738** was read the third time and passed by the following vote:

AYES: 147

Aull	Avery	Baker 123	Baker 25	Barnitz
Bearden	Behnen	Bivins	Black	Bland
Bowman	Boykins	Bringer	Brooks	Brown 30
Brown 50	Bruns	Burnett	Byrd	Chappelle-Nadal
Casey	Chinn	Cooper 155	Cooper 158	Corcoran
Cunningham 145	Cunningham 86	Curls	Darrough	Daus
Davis	Day	Deeken	Dempsey	Denison
Dethrow	Dixon	Donnelly	Dougherty	Dusenberg
El-Amin	Emery	Ervin	Faith	Fares
Fisher	Franz	Fraser	George	Goodman
Guest	Harris 110	Harris 23	Henke	Hobbs
Hoskins	Hubbard	Hughes	Hunter	Icet
Jackson	Johnson 47	Johnson 61	Johnson 90	Jolly
Jones	Kelly	Kingery	Kratky	Kraus
Kuessner	Lager	Lampe	Lembke	LeVota
Liese	Lipke	Loehner	Low 39	Lowe 44
May	McGhee	Meadows	Meiners	Moore
Munzlinger	Muschany	Myers	Nance	Nieves
Nolte	Oxford	Page	Parker	Parson
Pearce	Phillips	Pollock	Pratt	Quinn
Rector	Richard	Roark	Robinson	Roorda
Rucker	Ruestman	Rupp	Sander	Sater
Schaaf	Schad	Schlottach	Schoemehl	Self
Shoemyer	Skaggs	Smith 118	Smith 14	Stefanick
St. Onge	Storch	Sutherland	Threlkeld	Tilley
Villa	Vogt	Wallace	Walsh	Walton
Wasson	Wells	Weter	Whorton	Wildberger

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Wilson 119	Wilson 130	Witte	Wood	Wright-Jones
Wright 137	Wright 159	Yaeger	Yates	Young
Zweifel	Mr Speaker			

NOES: 000

PRESENT: 000

ABSENT WITH LEAVE: 015

Bean	Cooper 120	Flook	Haywood	Marsh
Portwood	Robb	Salva	Schneider	Selby
Spreng	Stevenson	Swinger	Viebrock	Wagner

VACANCIES: 001

Speaker Pro Tem Bearden declared the bill passed.

The emergency clause was adopted by the following vote:

AYES: 152

Aull	Avery	Baker 123	Baker 25	Barnitz
Bearden	Behnen	Bivins	Black	Bland
Boykins	Bringer	Brooks	Brown 30	Brown 50
Bruns	Burnett	Byrd	Chappelle-Nadal	Casey
Chinn	Cooper 120	Cooper 155	Cooper 158	Corcoran
Cunningham 145	Cunningham 86	Curls	Darrough	Daus
Davis	Day	Deeken	Dempsey	Denison
Dethrow	Dixon	Donnelly	Dougherty	Dusenberg
El-Amin	Emery	Ervin	Faith	Fares
Fisher	Flook	Franz	Fraser	George
Goodman	Guest	Harris 110	Harris 23	Haywood
Henke	Hobbs	Hoskins	Hubbard	Hughes
Hunter	Ice	Jackson	Johnson 47	Johnson 61
Johnson 90	Jolly	Jones	Kelly	Kingery
Kratky	Kraus	Kuessner	Lager	Lampe
Lembke	LeVota	Liese	Lipke	Loehner
Low 39	Lowe 44	May	McGhee	Meadows
Meiners	Moore	Munzlinger	Muschany	Nance
Nieves	Nolte	Oxford	Page	Parker
Parson	Pearce	Phillips	Pollock	Portwood
Pratt	Quinn	Rector	Richard	Roark
Robb	Robinson	Roorda	Rucker	Ruestman
Rupp	Sander	Sater	Schaaf	Schad
Schlottach	Schoemehl	Selby	Self	Shoemyer
Skaggs	Smith 118	Smith 14	Spreng	Stefanick
St. Onge	Storch	Sutherland	Threlkeld	Tilley
Viebrock	Villa	Vogt	Walsh	Walton
Wasson	Wells	Weter	Whorton	Wildberger
Wilson 119	Wilson 130	Witte	Wood	Wright-Jones
Wright 137	Wright 159	Yaeger	Yates	Young
Zweifel	Mr Speaker			

NOES: 000

PRESENT: 000

ABSENT WITH LEAVE: 010

Bean	Bowman	Marsh	Myers	Salva
Schneider	Stevenson	Swinger	Wagner	Wallace

VACANCIES: 001

THIRD READING OF HOUSE JOINT RESOLUTION

HCS HJR 16, relating to a parks and soils tax, was taken up by Representative Chinn.

On motion of Representative Chinn, **HCS HJR 16** was read the third time and passed by the following vote:

AYES: 130

Aull	Avery	Baker 123	Baker 25	Barnitz
Bearden	Behnen	Bivins	Black	Bland
Boykins	Bringer	Brown 50	Bruns	Byrd
Chappelle-Nadal	Chinn	Cooper 120	Cooper 155	Cooper 158
Corcoran	Cunningham 145	Cunningham 86	Curls	Darrough
Daus	Day	Deeken	Dempsey	Denison
Dethrow	Dixon	Donnelly	Dougherty	Dusenberg
El-Amin	Emery	Ervin	Faith	Fares
Fisher	Flook	Franz	Fraser	George
Goodman	Harris 110	Harris 23	Henke	Hobbs
Hoskins	Hubbard	Hughes	Hunter	Icet
Jackson	Johnson 47	Jolly	Jones	Kelly
Kingery	Kratky	Kraus	Kuessner	Lager
Lembke	LeVota	Liese	Lipke	Loehner
Low 39	Lowe 44	May	McGhee	Meiners
Moore	Munzlinger	Muschany	Nance	Nieves
Nolte	Oxford	Parker	Parson	Pearce
Phillips	Pollock	Portwood	Quinn	Rector
Richard	Roark	Robb	Rupp	Sander
Sater	Schaaf	Schad	Schlottach	Selby
Self	Shoemyer	Smith 118	Smith 14	Spreng
Stefanick	St. Onge	Storch	Sutherland	Threlkeld
Tilley	Viebrock	Villa	Vogt	Wagner
Walsh	Wasson	Wells	Weter	Whorton
Wilson 119	Wilson 130	Witte	Wood	Wright-Jones
Wright 137	Wright 159	Yaeger	Zweifel	Mr Speaker

NOES: 017

Bowman	Brooks	Brown 30	Burnett	Davis
Haywood	Johnson 61	Johnson 90	Page	Pratt
Robinson	Rucker	Schoemehl	Skaggs	Wildberger
Yates	Young			

PRESENT: 003

Casey Meadows Roorda

ABSENT WITH LEAVE: 012

Bean	Guest	Lampe	Marsh	Myers
Ruestman	Salva	Schneider	Stevenson	Swinger
Wallace	Walton			

VACANCIES: 001

Speaker Pro Tem Bearden declared the bill passed.

THIRD READING OF HOUSE BILLS

HCS HB 394, relating to medical malpractice insurance, was taken up by Representative Byrd.

On motion of Representative Byrd, **HCS HB 394** was read the third time and passed by the following vote:

AYES: 141

Aull	Avery	Baker 123	Barnitz	Bearden
Behnen	Bivins	Black	Bland	Bowman
Boykins	Bringer	Brown 30	Brown 50	Bruns
Byrd	Chappelle-Nadal	Casey	Chinn	Cooper 120
Cooper 155	Cooper 158	Corcoran	Cunningham 145	Cunningham 86
Curls	Darrough	Daus	Davis	Day
Deeken	Dempsey	Denison	Dethrow	Dixon
Donnelly	Dougherty	Dusenberg	El-Amin	Emery
Ervin	Faith	Fares	Fisher	Flook
Franz	Fraser	George	Goodman	Guest
Harris 110	Haywood	Henke	Hobbs	Hoskins
Hubbard	Hughes	Hunter	Icet	Jackson
Johnson 47	Jolly	Jones	Kelly	Kingery
Kratky	Kraus	Kuessner	Lager	Lampe
Lembke	LeVota	Liese	Lipke	Loehner
Lowe 44	May	McGhee	Meadows	Meiners
Moore	Munzlinger	Muschany	Nance	Nieves
Nolte	Page	Parker	Parson	Pearce
Phillips	Pollock	Portwood	Pratt	Quinn
Rector	Richard	Roark	Robb	Robinson
Rucker	Ruestman	Rupp	Sander	Sater
Schaaf	Schad	Schneider	Schoemehl	Selby
Self	Shoemyer	Skaggs	Smith 118	Smith 14
Spreng	Stefanick	St. Onge	Storch	Sutherland
Threlkeld	Tilley	Viebrock	Villa	Wallace
Walsh	Wasson	Wells	Weter	Whorton
Wildberger	Wilson 119	Wilson 130	Witte	Wood
Wright 137	Wright 159	Yates	Young	Zweifel
Mr Speaker				

NOES: 011

Baker 25	Brooks	Burnett	Harris 23	Johnson 61
Johnson 90	Oxford	Roorda	Vogt	Walton
Yaeger				

PRESENT: 000

ABSENT WITH LEAVE: 010

Bean	Low 39	Marsh	Myers	Salva
Schlottach	Stevenson	Swinger	Wagner	Wright-Jones

VACANCIES: 001

Speaker Pro Tem Bearden declared the bill passed.

Representative Cooper (120) assumed the Chair.

HCS HB 388, relating to insurance compliance audits, was taken up by Representative Yates.

On motion of Representative Yates, **HCS HB 388** was read the third time and passed by the following vote:

AYES: 133

Aull	Avery	Baker 123	Baker 25	Barnitz
Bearden	Behnen	Bivins	Black	Bland
Bowman	Boykins	Brown 30	Brown 50	Bruns
Byrd	Casey	Chinn	Cooper 120	Cooper 155
Cooper 158	Corcoran	Cunningham 145	Cunningham 86	Curls
Darrough	Davis	Day	Deeken	Dempsey
Denison	Dethrow	Dixon	Donnelly	Dougherty
Dusenberg	Emery	Ervin	Faith	Fares
Fisher	Flook	Franz	Goodman	Guest
Harris 110	Harris 23	Hobbs	Hoskins	Hubbard
Hunter	Ice	Jackson	Johnson 47	Johnson 61
Jones	Kelly	Kingery	Kratky	Kraus
Kuessner	Lager	Lampe	Lembke	LeVota
Liese	Lipke	Loehner	May	McGhee
Meadows	Meiners	Moore	Munzlinger	Muschany
Nance	Nieves	Nolte	Oxford	Page
Parker	Parson	Pearce	Phillips	Pollock
Portwood	Pratt	Quinn	Rector	Richard
Roark	Robb	Robinson	Roorda	Rucker
Ruestman	Rupp	Sander	Sater	Schaaf
Schad	Schlottach	Schneider	Schoemehl	Self
Shoemyer	Smith 118	Smith 14	Spreng	Stefanick
St. Onge	Storch	Sutherland	Threlkeld	Tilley
Viebrock	Villa	Wagner	Wallace	Wasson
Wells	Weter	Whorton	Wildberger	Wilson 119
Wilson 130	Wood	Wright 137	Wright 159	Yaeger
Yates	Zweifel	Mr Speaker		

NOES: 023

Bringer	Brooks	Burnett	Chappelle-Nadal	Daus
El-Amin	Fraser	George	Haywood	Henke
Hughes	Johnson 90	Jolly	Low 39	Lowe 44
Selby	Skaggs	Vogt	Walsh	Walton
Witte	Wright-Jones	Young		

PRESENT: 000

ABSENT WITH LEAVE: 006

Bean	Marsh	Myers	Salva	Stevenson
Swinger				

VACANCIES: 001

Representative Cooper (120) declared the bill passed.

HCS HB 64, relating to a sales and use tax holiday, was taken up by Representative Sutherland.

On motion of Representative Sutherland, **HCS HB 64** was read the third time and passed by the following vote:

AYES: 130

Avery	Baker 123	Baker 25	Barnitz	Bearden
Behnen	Bivins	Black	Bland	Boykins
Bringer	Brooks	Brown 30	Brown 50	Bruns
Burnett	Byrd	Chappelle-Nadal	Chinn	Cooper 120
Cooper 155	Cooper 158	Cunningham 145	Curls	Darrough
Davis	Day	Deeken	Dempsey	Denison
Dixon	Dougherty	Dusenberg	El-Amin	Emery
Ervin	Faith	Fisher	Flook	Fraser
George	Goodman	Harris 23	Haywood	Hoskins
Hubbard	Hunter	Ice	Jackson	Johnson 61
Johnson 90	Jolly	Jones	Kelly	Kingery
Kratky	Kraus	Lager	Lampe	Lembke
LeVota	Liese	Lipke	Loehner	Low 39
Lowe 44	May	McGhee	Meadows	Meiners
Moore	Munzlinger	Muschany	Nance	Nieves
Nolte	Oxford	Page	Parker	Parson
Pearce	Phillips	Pollock	Portwood	Pratt
Quinn	Rector	Richard	Roark	Robb
Robinson	Roorda	Rucker	Ruestman	Rupp
Sander	Schaaf	Schlottach	Schoemehl	Selby
Self	Shoemyer	Smith 14	Spreng	Stefanick
St. Onge	Storch	Sutherland	Threlkeld	Tilley
Viebrock	Vogt	Wagner	Walsh	Walton
Wasson	Wells	Weter	Wildberger	Wilson 119
Wilson 130	Witte	Wood	Wright-Jones	Wright 137
Wright 159	Yates	Young	Zweifel	Mr Speaker

NOES: 024

Aull	Bowman	Casey	Corcoran	Daus
Dethrow	Donnelly	Franz	Guest	Harris 110
Henke	Hughes	Johnson 47	Kuessner	Myers
Sater	Schad	Schneider	Skaggs	Smith 118
Villa	Wallace	Whorton	Yaeger	

PRESENT: 002

Cunningham 86 Fares

ABSENT WITH LEAVE: 006

Bean	Hobbs	Marsh	Salva	Stevenson
Swinger				

VACANCIES: 001

Representative Cooper (120) declared the bill passed.

The emergency clause was adopted by the following vote:

AYES: 129

Avery	Baker 123	Barnitz	Bearden	Behnen
Bivins	Black	Bland	Boykins	Bringer
Brown 30	Brown 50	Bruns	Burnett	Byrd
Chappelle-Nadal	Chinn	Cooper 120	Cooper 155	Cooper 158
Corcoran	Cunningham 145	Curls	Davis	Day
Deeken	Dempsey	Denison	Dixon	Dougherty
Dusenberg	Emery	Ervin	Faith	Fares
Fisher	Flook	Fraser	George	Goodman
Harris 23	Haywood	Henke	Hoskins	Hubbard
Hunter	Ice	Jackson	Johnson 61	Johnson 90
Jolly	Jones	Kelly	Kingery	Kratky
Kraus	Lager	Lampe	Lembke	Lipke
Loehner	Low 39	Lowe 44	May	McGhee
Meadows	Meiners	Moore	Munzlinger	Muschany
Myers	Nance	Nieves	Nolte	Page
Parker	Parson	Pearce	Phillips	Pollock
Portwood	Pratt	Quinn	Rector	Richard
Roark	Robb	Robinson	Roorda	Rucker
Ruestman	Rupp	Sander	Sater	Schaaf
Schlottach	Schoemehl	Selby	Self	Shoemyer
Smith 118	Smith 14	Spreng	Stefanick	St. Onge
Storch	Sutherland	Threlkeld	Tilley	Viebrock
Vogt	Wagner	Walsh	Walton	Wasson
Wells	Weter	Wildberger	Wilson 119	Wilson 130
Witte	Wood	Wright-Jones	Wright 137	Wright 159
Yates	Young	Zweifel	Mr Speaker	

NOES: 022

Aull	Baker 25	Bowman	Casey	Daus
Dethrow	Donnelly	Franz	Guest	Harris 110
Hughes	Johnson 47	Kuessner	LeVota	Oxford

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Schad	Schneider	Skaggs	Villa	Wallace
Whorton	Yaeger			

PRESENT: 001

Cunningham 86

ABSENT WITH LEAVE: 010

Bean	Brooks	Darrough	El-Amin	Hobbs
Liese	Marsh	Salva	Stevenson	Swinger

VACANCIES: 001

HB 700, relating to the Department of Corrections, was taken up by Representative Moore.

On motion of Representative Moore, **HB 700** was read the third time and passed by the following vote:

AYES: 154

Aull	Avery	Baker 123	Baker 25	Barnitz
Bearden	Behnen	Bivins	Black	Bland
Bowman	Boykins	Bringer	Brooks	Brown 30
Brown 50	Bruns	Burnett	Chappelle-Nadal	Casey
Chinn	Cooper 120	Cooper 155	Cooper 158	Corcoran
Cunningham 145	Cunningham 86	Curls	Darrough	Daus
Davis	Day	Deeken	Dempsey	Denison
Dethrow	Dixon	Donnelly	Dusenberg	Emery
Ervin	Faith	Fares	Fisher	Flook
Franz	Fraser	George	Goodman	Guest
Harris 110	Harris 23	Haywood	Henke	Hoskins
Hubbard	Hughes	Hunter	Ice	Jackson
Johnson 47	Johnson 61	Johnson 90	Jolly	Jones
Kelly	Kingery	Kratky	Kraus	Kuessner
Lager	Lampe	Lembke	LeVota	Liese
Lipke	Loehner	Low 39	Lowe 44	May
McGhee	Meadows	Meiners	Moore	Munzlinger
Muschany	Myers	Nance	Nieves	Nolte
Oxford	Page	Parker	Parson	Pearce
Phillips	Pollock	Portwood	Pratt	Quinn
Rector	Richard	Roark	Robb	Robinson
Roorda	Rucker	Ruestman	Rupp	Salva
Sander	Sater	Schaaf	Schad	Schlottach
Schneider	Schoemehl	Selby	Self	Shoemyer
Skaggs	Smith 118	Smith 14	Spreng	Stefanick
St. Onge	Storch	Sutherland	Threlkeld	Tilley
Viebrock	Villa	Vogt	Wagner	Wallace
Walsh	Walton	Wasson	Wells	Weter
Whorton	Wildberger	Wilson 119	Wilson 130	Witte
Wood	Wright-Jones	Wright 137	Wright 159	Yaeger
Yates	Young	Zweifel	Mr Speaker	

NOES: 002

Dougherty El-Amin

PRESENT: 000

ABSENT WITH LEAVE: 006

Bean Byrd Hobbs Marsh Stevenson
Swinger

VACANCIES: 001

Representative Cooper (120) declared the bill passed.

Speaker Pro Tem Bearden resumed the Chair.

HCS HBs 518, 288, 418 & 635, relating to highway safety, was taken up by Representative St. Onge.

On motion of Representative St. Onge, **HCS HBs 518, 288, 418 & 635** was read the third time and passed by the following vote:

AYES: 153

Aull	Avery	Baker 123	Baker 25	Barnitz
Bearden	Behnen	Bivins	Black	Bland
Boykins	Bringer	Brown 30	Brown 50	Bruns
Burnett	Byrd	Chappelle-Nadal	Casey	Chinn
Cooper 120	Cooper 155	Cooper 158	Corcoran	Cunningham 145
Cunningham 86	Curls	Darrough	Daus	Day
Deeken	Dempsey	Denison	Dethrow	Dixon
Donnelly	Dougherty	Dusenberg	El-Amin	Emery
Ervin	Faith	Fares	Fisher	Flook
Franz	Fraser	George	Goodman	Guest
Harris 110	Harris 23	Haywood	Henke	Hoskins
Hubbard	Hughes	Hunter	Icet	Jackson
Johnson 47	Johnson 61	Johnson 90	Jolly	Jones
Kelly	Kingery	Kratky	Kraus	Kuessner
Lager	Lampe	LeVota	Liese	Lipke
Loehner	Low 39	Lowe 44	May	McGhee
Meadows	Meiners	Moore	Munzlinger	Muschany
Myers	Nance	Nieves	Nolte	Oxford
Page	Parker	Parson	Pearce	Phillips
Pollock	Portwood	Pratt	Quinn	Rector
Richard	Roark	Robb	Robinson	Roorda
Rucker	Ruestman	Rupp	Salva	Sander
Sater	Schaaf	Schad	Schlottach	Schneider
Schoemehl	Selby	Self	Shoemyer	Skaggs
Smith 118	Smith 14	Spreng	Stefanick	St. Onge
Storch	Sutherland	Threlkeld	Tilley	Viebrock
Villa	Vogt	Wagner	Wallace	Walsh
Walton	Wasson	Wells	Weter	Whorton

Wildberger	Wilson 119	Wilson 130	Witte	Wood
Wright-Jones	Wright 137	Wright 159	Yaeger	Yates
Young	Zweifel	Mr Speaker		

NOES: 000

PRESENT: 001

Davis

ABSENT WITH LEAVE: 008

Bean	Bowman	Brooks	Hobbs	Lembke
Marsh	Stevenson	Swinger		

VACANCIES: 001

Speaker Pro Tem Bearden declared the bill passed.

HOUSE CONCURRENT RESOLUTIONS

HCR 11, relating to the firearms industry, was taken up by Representative Sander.

On motion of Representative Sander, **HCR 11** was adopted.

HCR 4, relating to the Vietnamese-American flag, was taken up by Representative Burnett.

Representative Burnett moved that **HCR 4** be adopted.

Which motion was defeated.

THIRD READING OF SENATE BILLS

HCS SCS SBs 202, 33, 45, 183 & 217, relating to administrative law judges' retirement, was taken up by Representative Smith (118).

On motion of Representative Smith (118), **HCS SCS SBs 202, 33, 45, 183 & 217** was adopted.

On motion of Representative Smith (118), **HCS SCS SBs 202, 33, 45, 183 & 217** was read the third time and passed by the following vote:

AYES: 136

Aull	Avery	Baker 123	Baker 25	Bearden
Behnen	Bivins	Black	Bland	Boykins
Bringer	Brown 30	Brown 50	Bruns	Chappelle-Nadal
Casey	Chinn	Cooper 120	Cooper 155	Cooper 158
Cunningham 145	Cunningham 86	Curls	Darrough	Daus
Davis	Day	Deeken	Dempsey	Denison
Dethrow	Dixon	Donnelly	Dougherty	Dusenberg
El-Amin	Emery	Ervin	Faith	Fares

Fisher	Flook	Franz	Fraser	Goodman
Guest	Harris 110	Harris 23	Haywood	Henke
Hubbard	Hunter	Ice	Jackson	Johnson 47
Johnson 61	Jolly	Jones	Kelly	Kingery
Kratky	Kraus	Kuessner	Lager	Lampe
LeVota	Liese	Lipke	Loehner	Low 39
May	McGhee	Meadows	Moore	Munzlinger
Muschany	Myers	Nance	Nieves	Nolte
Oxford	Page	Parker	Parson	Pearce
Phillips	Pollock	Portwood	Pratt	Quinn
Rector	Richard	Roark	Robb	Robinson
Roorda	Ruestman	Rupp	Sander	Sater
Schaaf	Schad	Schlottach	Schneider	Schoemehl
Selby	Self	Shoemyer	Smith 118	Smith 14
Stefanick	St. Onge	Storch	Sutherland	Threlkeld
Tilley	Viebrock	Villa	Wagner	Wallace
Walton	Wasson	Wells	Weter	Whorton
Wilson 119	Wilson 130	Witte	Wood	Wright-Jones
Wright 137	Wright 159	Yaeger	Yates	Zweifel
Mr Speaker				

NOES: 015

Barnitz	Burnett	Corcoran	George	Hughes
Lowe 44	Meiners	Rucker	Salva	Skaggs
Spreng	Vogt	Walsh	Wildberger	Young

PRESENT: 002

Byrd	Johnson 90
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ABSENT WITH LEAVE: 009

Bean	Bowman	Brooks	Hobbs	Hoskins
Lembke	Marsh	Stevenson	Swinger	

VACANCIES: 001

Speaker Pro Tem Bearden declared the bill passed.

The emergency clause was adopted by the following vote:

AYES: 124

Avery	Baker 123	Barnitz	Bearden	Behnen
Bivins	Black	Bland	Bringer	Brown 30
Bruns	Byrd	Chinn	Cooper 120	Cooper 155
Cooper 158	Cunningham 145	Cunningham 86	Darrough	Daus
Davis	Day	Deeken	Dempsey	Denison
Dethrow	Dixon	Donnelly	Dougherty	Dusenberg
El-Amin	Emery	Ervin	Faith	Fares
Fisher	Flook	Franz	Fraser	Goodman
Guest	Harris 110	Harris 23	Haywood	Hoskins
Hubbard	Hunter	Ice	Jackson	Johnson 47
Jolly	Jones	Kelly	Kingery	Kratky
Kraus	Kuessner	Lager	Lampe	Liese
Lipke	Loehner	May	McGhee	Moore

Munzlinger	Muschany	Myers	Nance	Nieves
Nolte	Parker	Parson	Pearce	Phillips
Pollock	Portwood	Pratt	Quinn	Rector
Richard	Roark	Robb	Robinson	Ruestman
Rupp	Sander	Sater	Schaaf	Schad
Schlottach	Schneider	Schoemehl	Selby	Self
Shoemyer	Smith 118	Smith 14	Stefanick	St. Onge
Storch	Sutherland	Threlkeld	Tilley	Viebrock
Villa	Wagner	Wallace	Walton	Wasson
Wells	Weter	Whorton	Wilson 119	Wilson 130
Witte	Wood	Wright-Jones	Wright 137	Wright 159
Yaeger	Yates	Zweifel	Mr Speaker	

NOES: 012

Burnett	Corcoran	Hughes	LeVota	Low 39
Lowe 44	Meiners	Rucker	Salva	Skaggs
Vogt	Young			

PRESENT: 016

Aull	Baker 25	Boykins	Chappelle-Nadal	Casey
Curls	George	Henke	Johnson 61	Johnson 90
Meadows	Oxford	Page	Roorda	Spreng
Walsh				

ABSENT WITH LEAVE: 010

Bean	Bowman	Brooks	Brown 50	Hobbs
Lembke	Marsh	Stevenson	Swinger	Wildberger

VACANCIES: 001

SS SB 539, relating to health care and social services, was taken up by Representative Stefanick.

Representative Shoemyer offered **House Amendment No. 1**.

House Amendment No. 1

AMEND Senate Substitute for Senate Bill No. 539, Pages 46 and 47, Section 660.661, Lines 1 to 44, by deleting all of said lines; and

Further amend said bill, Pages 47 and 48, Section 660.664, Lines 1 to 33, by deleting all of said lines; and

Further amend said bill, Pages 48 to 50, Section 660.667, Lines 1 to 48, by deleting all of said lines; and

Further amend said bill, Pages 50 and 51, Section 660.670, Lines 1 to 37, by deleting all of said lines; and

Further amend said bill, Pages 51 to 53, Section 660.673, Lines 1 to 91, by deleting all of said lines; and

Further amend said bill, Pages 53 to 55, Section 660.676, Lines 1 to 57, by deleting all of said lines; and

Further amend said bill, Pages 55 and 56, Section 660.679, Lines 1 to 33, by deleting all of said lines; and

Further amend said bill, Page 56, Section 660.681, Lines 1 to 14, by deleting all of said lines; and

Further amend said bill, Pages 56 and 57, Section 660.584, Lines 1 to 19, by deleting all of said lines; and

Further amend said bill, Page 57, Section 660.687, Lines 1 to 11, by deleting all of said lines; and

Further amend said bill, Pages 57 and 58, Section 178.661, Lines 1 to 49, by deleting all of said lines; and

Further amend said bill, Pages 59 and 60, Section 178.662, Lines 1 to 38, by deleting all of said lines; and

Further amend said bill, Pages 60 and 61, Section 178.664, Lines 1 to 13, by deleting all of said lines; and

Further amend said bill, Page 61, Section 178.669, Lines 1 to 16, by deleting all of said lines; and

Further amend said bill, Pages 61 and 62, Section 178.671, Lines 1 to 14, by deleting all of said lines; and

Further amend said bill, Page 62, Section 178.673, Lines 1 to 5, by deleting all of said lines; and

Further amend said title, enacting clause and intersectional references accordingly.

Representative Shoemyer moved that **House Amendment No. 1** be adopted.

Which motion was defeated by the following vote:

AYES: 065

Aull	Baker 25	Barnitz	Bland	Bowman
Boykins	Bringer	Brooks	Brown 50	Burnett
Chappelle-Nadal	Casey	Corcoran	Curls	Darrough
Daus	Donnelly	Dougherty	El-Amin	Fraser
George	Harris 110	Harris 23	Haywood	Henke
Hoskins	Hubbard	Hughes	Johnson 61	Johnson 90
Jolly	Kratky	Kuessner	Lampe	LeVota
Liese	Low 39	Lowe 44	Meadows	Meiners
Oxford	Page	Pearce	Robinson	Roorda
Rucker	Salva	Schoemehl	Selby	Shoemyer
Skaggs	Spreng	Storch	Villa	Vogt
Wagner	Walsh	Walton	Whorton	Wildberger
Witte	Wright-Jones	Yaeger	Young	Zweifel

NOES: 092

Avery	Baker 123	Bean	Bearden	Behnen
Bivins	Black	Brown 30	Bruns	Byrd
Chinn	Cooper 120	Cooper 155	Cooper 158	Cunningham 145
Cunningham 86	Davis	Day	Deeken	Dempsey
Denison	Dethrow	Dixon	Dusenberg	Emery
Ervin	Faith	Fares	Fisher	Flook
Franz	Goodman	Guest	Hobbs	Hunter
Ice	Jackson	Johnson 47	Jones	Kelly
Kingery	Kraus	Lager	Lembke	Lipke
Loehner	May	McGhee	Moore	Munzlinger
Muschany	Myers	Nance	Nieves	Nolte
Parson	Phillips	Pollock	Portwood	Pratt
Quinn	Rector	Richard	Roark	Robb
Ruestman	Rupp	Sander	Sater	Schaaf
Schad	Schlottach	Self	Smith 118	Smith 14
Stefanick	St. Onge	Sutherland	Threlkeld	Tilley

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Viebrock	Wallace	Wasson	Wells	Weter
Wilson 119	Wilson 130	Wood	Wright 137	Wright 159
Yates	Mr Speaker			

PRESENT: 000

ABSENT WITH LEAVE: 005

Marsh	Parker	Schneider	Stevenson	Swinger
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VACANCIES: 001

Representative Donnelly offered **House Amendment No. 2.**

House Amendment No. 2

AMEND Senate Substitute for Senate Bill No. 539, Page 45, Section 453.072, Lines 1 to 7, by deleting all of said lines; and

Further amend said bill, Pages 45 and 46, Section 453.073, Lines 1 to 37, by deleting all of said lines; and

Further amend said title, enacting clause and intersectional references accordingly.

Speaker Jetton assumed the Chair.

Speaker Pro Tem Bearden resumed the Chair.

Representative Donnelly moved that **House Amendment No. 2** be adopted.

Which motion was defeated by the following vote:

AYES: 073

Aull	Baker 25	Barnitz	Bland	Bowman
Boykins	Bringer	Brooks	Brown 50	Burnett
Chappelle-Nadal	Casey	Chinn	Corcoran	Curls
Darrough	Daus	Donnelly	Dougherty	Dusenberg
El-Amin	Faith	Fraser	George	Harris 110
Harris 23	Haywood	Henke	Hoskins	Hubbard
Hughes	Johnson 47	Johnson 61	Johnson 90	Jolly
Kratky	Kraus	Kuessner	Lampe	LeVota
Liese	Low 39	Lowe 44	Meadows	Meiners
Nance	Oxford	Page	Pratt	Robinson
Roorda	Rucker	Salva	Schneider	Schoemehl
Selby	Shoemyer	Skaggs	Spreng	Storch
Villa	Vogt	Wagner	Walsh	Walton
Whorton	Wildberger	Witte	Wright-Jones	Yaeger
Yates	Young	Zweifel		

NOES: 083

Avery	Baker 123	Bean	Bearden	Behnen
Bivins	Black	Brown 30	Bruns	Byrd
Cooper 120	Cooper 155	Cooper 158	Cunningham 145	Cunningham 86
Davis	Day	Deeken	Dempsey	Denison

Dethrow	Dixon	Emery	Ervin	Fisher
Flook	Franz	Goodman	Guest	Hobbs
Hunter	Ice	Jackson	Jones	Kelly
Kingery	Lager	Lembke	Lipke	Loehner
May	McGhee	Moore	Munzlinger	Muschany
Myers	Nieves	Nolte	Parson	Pearce
Phillips	Pollock	Portwood	Quinn	Rector
Richard	Roark	Robb	Ruestman	Sander
Sater	Schaaf	Schad	Schlottach	Self
Smith 118	Smith 14	Stefanick	St. Onge	Sutherland
Threlkeld	Tilley	Viebrock	Wallace	Wasson
Wells	Weter	Wilson 119	Wilson 130	Wood
Wright 137	Wright 159	Mr Speaker		

PRESENT: 001

Fares

ABSENT WITH LEAVE: 005

Marsh	Parker	Rupp	Stevenson	Swinger
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VACANCIES: 001

Representative Storch offered **House Amendment No. 3**.

House Amendment No. 3

AMEND Senate Substitute for Senate Bill No. 539, Page 8, Section 208.014, Line 30, by deleting the phrase "**which shall sunset on June 30, 2008**"; and

Further amend said title, enacting clause and intersectional references accordingly.

Representative Storch moved that **House Amendment No. 3** be adopted.

Which motion was defeated by the following vote:

AYES: 069

Aull	Baker 25	Barnitz	Bivins	Black
Bland	Bowman	Boykins	Bringer	Brown 50
Burnett	Byrd	Chappelle-Nadal	Casey	Corcoran
Curls	Darrough	Daus	Donnelly	Dougherty
El-Amin	Fraser	George	Harris 110	Harris 23
Haywood	Henke	Hoskins	Hubbard	Hughes
Johnson 47	Johnson 61	Johnson 90	Jolly	Kratky
Kraus	Kuessner	Lampe	LeVota	Liese
Low 39	Lowe 44	Meadows	Meiners	Oxford
Page	Parker	Robinson	Roorda	Rucker
Schoemehl	Selby	Shoemyer	Skaggs	Spreng
Storch	Villa	Vogt	Wagner	Walsh
Walton	Whorton	Wildberger	Witte	Wright-Jones
Wright 137	Yaeger	Young	Zweifel	

NOES: 087

Avery	Baker 123	Bean	Bearden	Behnen
Brown 30	Bruns	Chinn	Cooper 120	Cooper 155
Cooper 158	Cunningham 145	Cunningham 86	Davis	Day
Deeken	Dempsey	Denison	Dethrow	Dixon
Dusenberg	Emery	Ervin	Faith	Fares
Fisher	Flook	Franz	Goodman	Guest
Hobbs	Hunter	Ice	Jackson	Jones
Kelly	Kingery	Lager	Lembke	Lipke
Loehner	May	McGhee	Moore	Munzlinger
Muschany	Myers	Nance	Nieves	Nolte
Parson	Pearce	Phillips	Pollock	Portwood
Pratt	Quinn	Rector	Richard	Roark
Robb	Ruestman	Rupp	Sander	Sater
Schaaf	Schad	Schlottach	Schneider	Self
Smith 118	Smith 14	Stefanick	St. Onge	Threlkeld
Tilley	Viebrock	Wallace	Wasson	Wells
Weter	Wilson 119	Wilson 130	Wood	Wright 159
Yates	Mr Speaker			

PRESENT: 000

ABSENT WITH LEAVE: 006

Brooks	Marsh	Salva	Stevenson	Sutherland
Swinger				

VACANCIES: 001

Representative Fraser offered **House Amendment No. 4.**

House Amendment No. 4

AMEND Senate Substitute for Senate Bill No. 539, Pages 35 and 36, Section 208.640, Lines 1 to 23, by deleting all of said lines; and

Further amend said title, enacting clause and intersectional references accordingly.

Representative Fraser moved that **House Amendment No. 4** be adopted.

Which motion was defeated by the following vote:

AYES: 071

Aull	Baker 25	Barnitz	Bland	Bowman
Boykins	Bringer	Brooks	Brown 50	Burnett
Chappelle-Nadal	Casey	Chinn	Corcoran	Curls
Darrough	Daus	Donnelly	Dougherty	El-Amin
Faith	Fraser	George	Harris 110	Harris 23
Haywood	Henke	Hoskins	Hubbard	Hughes
Johnson 61	Johnson 90	Jolly	Kratky	Kraus
Kuessner	Lampe	LeVota	Liese	Low 39
Lowe 44	Meadows	Meiners	Nance	Nolte
Oxford	Page	Parker	Robinson	Roorda
Rucker	Salva	Schneider	Schoemehl	Selby

Shoemyer	Skaggs	Spreng	Storch	Villa
Vogt	Wagner	Walsh	Walton	Whorton
Wildberger	Witte	Wright-Jones	Yaeger	Young
Zweifel				

NOES: 087

Avery	Baker 123	Bean	Bearden	Behnen
Bivins	Black	Brown 30	Bruns	Byrd
Cooper 120	Cooper 155	Cooper 158	Cunningham 145	Cunningham 86
Davis	Day	Deeken	Dempsey	Denison
Dethrow	Dixon	Dusenberg	Emery	Ervin
Fisher	Flook	Franz	Goodman	Guest
Hobbs	Hunter	Ice	Jackson	Johnson 47
Jones	Kelly	Kingery	Lager	Lembke
Lipke	Loehner	May	McGhee	Moore
Munzlinger	Muschany	Myers	Nieves	Parson
Pearce	Phillips	Pollock	Portwood	Pratt
Quinn	Rector	Richard	Roark	Robb
Ruestman	Rupp	Sander	Sater	Schaaf
Schad	Schlottach	Self	Smith 118	Smith 14
Stefanick	St. Onge	Sutherland	Threlkeld	Tilley
Viebrock	Wallace	Wasson	Wells	Weter
Wilson 119	Wilson 130	Wood	Wright 137	Wright 159
Yates	Mr Speaker			

PRESENT: 000

ABSENT WITH LEAVE: 004

Fares	Marsh	Stevenson	Swinger
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VACANCIES: 001

Representative El-Amin offered **House Amendment No. 5.**

House Amendment No. 5

AMEND Senate Substitute for Senate Bill No. 539, Page 1, Section A, Line 8, by inserting after all of said line the following:

"135.327. 1. Any person residing in this state who legally adopts a special needs child on or after January 1, 1988, and before January 1, 2000, shall be eligible to receive a tax credit of up to ten thousand dollars for nonrecurring adoption expenses for each child adopted that may be applied to taxes due under chapter 143, RSMo. Any business entity providing funds to an employee to enable that employee to legally adopt a special needs child shall be eligible to receive a tax credit of up to ten thousand dollars for nonrecurring adoption expenses for each child adopted that may be applied to taxes due under such business entity's state tax liability, except that only one ten thousand dollar credit is available for each special needs child that is adopted.

2. Any person residing in this state who proceeds in good faith with the adoption of a special needs child on or after January 1, 2000, **and before January 1, 2006**, shall be eligible to receive a tax credit of up to ten thousand dollars for nonrecurring adoption expenses for each child that may be applied to taxes due under chapter 143, RSMo; provided, however, that beginning on or after July 1, 2004, a minimum of fifty percent of the tax credits allowed shall be allocated for the adoption of special needs children who are residents or wards of residents of this state at the time the adoption is initiated. Any business entity providing funds to an employee to enable that employee to proceed in good faith with the adoption of a special needs child shall be eligible to receive a tax credit of up to ten thousand dollars for nonrecurring adoption expenses for each child that may be applied to taxes due under such business entity's state tax liability, except that only one ten thousand dollar credit is available for each special needs child that is adopted.

3. Any person residing in this state who legally adopts a special needs child on or after January 1, 2006, shall be eligible to receive a tax credit of up to ten thousand dollars for nonrecurring adoption expenses for each child adopted that may be applied to taxes due under chapter 143, RSMo; provided, however, that beginning on or after July 1, 2006, a minimum of fifty percent of the tax credits allowed shall be allocated for the adoption of special needs children who are residents or wards of residents of this state at the time the adoption is initiated. No tax credits under this section shall be allocated for adoption of special needs children from outside the United States. Any business entity providing funds to an employee to enable that employee to proceed in good faith with the adoption of a special needs child shall be eligible to receive a tax credit of up to ten thousand dollars for nonrecurring adoption expenses for each child that may be applied to taxes due under such business entity's state tax liability, except that only one ten thousand dollar credit is available for each special needs child that is adopted.

4. Individuals and business entities may claim a tax credit for their total nonrecurring adoption expenses in each year that the expenses are incurred. A claim for fifty percent of the credit shall be allowed when the child is placed in the home. A claim for the remaining fifty percent shall be allowed when the adoption is final. The total of these tax credits shall not exceed the maximum limit of ten thousand dollars per child. The cumulative amount of tax credits which may be claimed by taxpayers claiming the credit for nonrecurring adoption expenses in any one fiscal year prior to July 1, 2004, shall not exceed two million dollars and shall not exceed four million dollars in any one fiscal year beginning on or after July 1, 2004; provided, however, that in the first ninety days following each July first, if less than two million dollars in credits have been issued for adoption of special needs children **in the United States** who are not residents or wards of residents of this state at the time the adoption is initiated, the remaining amount of the four million dollar cap shall be available for the adoption of special needs children who are residents or wards of residents of this state at the time the adoption is initiated.

[4.] 5. Notwithstanding any provision of law to the contrary, any individual or business entity may assign, transfer or sell tax credits allowed in this section. Any sale of tax credits claimed pursuant to this section shall be at a discount rate of seventy-five percent or greater of the amount sold.

[5.] 6. The director of revenue shall establish a procedure by which, for each fiscal year, the cumulative amount of tax credits authorized in this section is equally apportioned among all taxpayers within the two categories specified in [subsection 2] **subsections 2 and 3** of this section claiming the credit in that fiscal year. To the maximum extent possible, the director of revenue shall establish the procedure described in this subsection in such a manner as to ensure that taxpayers within each category can claim all the tax credits possible up to the cumulative amount of tax credits available for the fiscal year.

[6.] 7. The director of revenue shall submit to the general assembly, by January 1, 2005, and each succeeding year, information by income levels of those individual taxpayers who have qualified and claimed the credit authorized in this section, regardless of whether those taxpayers have assigned, transferred, or sold such credits. The information shall indicate the number of such taxpayers with federal adjusted gross income in the immediately preceding tax year of less than one hundred fifty thousand dollars, of one hundred fifty thousand dollars to and including one hundred ninety thousand dollars, and of more than one hundred ninety thousand dollars."; and

Further amend said title, enacting clause and intersectional references accordingly.

Representative El-Amin moved that **House Amendment No. 5** be adopted.

Which motion was defeated by the following vote:

AYES: 075

Aull	Baker 25	Barnitz	Black	Bland
Bowman	Boykins	Bringer	Brooks	Brown 50
Bruns	Burnett	Byrd	Chappelle-Nadal	Casey
Corcoran	Curls	Darrough	Daus	Donnelly
Dougherty	El-Amin	Fraser	George	Guest
Harris 110	Harris 23	Haywood	Henke	Hoskins
Hubbard	Hughes	Johnson 61	Johnson 90	Jolly
Kratky	Kraus	Kuessner	Lampe	Lembke
LeVota	Liese	Low 39	Lowe 44	Meadows
Meiners	Myers	Nance	Nolte	Oxford

Page	Parker	Robinson	Roorda	Rucker
Salva	Schoemehl	Selby	Shoemyer	Skaggs
Spreng	Storch	Viebrock	Villa	Vogt
Wagner	Walsh	Walton	Whorton	Wildberger
Witte	Wright-Jones	Yaeger	Young	Zweifel

NOES: 083

Avery	Baker 123	Bean	Bearden	Behnen
Bivins	Brown 30	Cooper 120	Cooper 155	Cooper 158
Cunningham 145	Cunningham 86	Davis	Day	Deeken
Dempsey	Denison	Dethrow	Dixon	Dusenberg
Emery	Ervin	Faith	Fares	Fisher
Flook	Franz	Goodman	Hobbs	Hunter
Icet	Jackson	Johnson 47	Jones	Kelly
Kingery	Lager	Lipke	Loehner	May
McGhee	Moore	Munzlinger	Muschany	Nieves
Parson	Pearce	Phillips	Pollock	Portwood
Pratt	Quinn	Rector	Richard	Roark
Robb	Ruestman	Rupp	Sander	Sater
Schaaf	Schad	Schlottach	Schneider	Self
Smith 118	Smith 14	Stefanick	St. Onge	Sutherland
Threlkeld	Tilley	Wallace	Wasson	Wells
Weter	Wilson 119	Wilson 130	Wood	Wright 137
Wright 159	Yates	Mr Speaker		

PRESENT: 000

ABSENT WITH LEAVE: 004

Chinn	Marsh	Stevenson	Swinger
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VACANCIES: 001

Representative Barnitz offered **House Amendment No. 6.**

House Amendment No. 6

AMEND Senate Substitute for Senate Bill No. 539, Pages 62 to 64, Section 208.146, Lines 1 to 91, by deleting all of said lines; and

Further amend said title, enacting clause and intersectional references accordingly.

Representative Barnitz moved that **House Amendment No. 6** be adopted.

Which motion was defeated by the following vote:

AYES: 074

Aull	Baker 25	Barnitz	Black	Bland
Bowman	Boykins	Bringer	Brooks	Brown 50
Burnett	Byrd	Chappelle-Nadal	Casey	Chinn
Corcoran	Curls	Darrough	Daus	Donnelly
Dougherty	Dusenberg	El-Amin	Faith	Fraser
George	Harris 110	Harris 23	Haywood	Henke
Hoskins	Hubbard	Hughes	Johnson 47	Johnson 61

Johnson 90	Jolly	Kratky	Kraus	Kuessner
Lampe	LeVota	Liese	Low 39	Lowe 44
Meadows	Meiners	Nance	Oxford	Page
Parker	Robinson	Roorda	Rucker	Salva
Schneider	Schoemehl	Selby	Shoemyer	Skaggs
Spreng	Storch	Villa	Vogt	Wagner
Walsh	Walton	Whorton	Wildberger	Witte
Wright-Jones	Yaeger	Young	Zweifel	

NOES: 085

Avery	Baker 123	Bean	Bearden	Behnen
Bivins	Brown 30	Bruns	Cooper 120	Cooper 155
Cooper 158	Cunningham 145	Cunningham 86	Davis	Day
Deeken	Dempsey	Denison	Dethrow	Dixon
Emery	Ervin	Fares	Fisher	Flook
Franz	Goodman	Guest	Hobbs	Hunter
Ice	Jackson	Jones	Kelly	Kingery
Lager	Lembke	Lipke	Loehner	May
McGhee	Moore	Munzlinger	Muschany	Myers
Nieves	Nolte	Parson	Pearce	Phillips
Pollock	Portwood	Pratt	Quinn	Rector
Richard	Roark	Robb	Ruestman	Rupp
Sander	Sater	Schaaf	Schad	Schlottach
Self	Smith 118	Smith 14	Stefanick	St. Onge
Sutherland	Threlkeld	Tilley	Viebrock	Wallace
Wasson	Wells	Weter	Wilson 119	Wilson 130
Wood	Wright 137	Wright 159	Yates	Mr Speaker

PRESENT: 000

ABSENT WITH LEAVE: 003

Marsh	Stevenson	Swinger
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VACANCIES: 001

Representative Schoemehl offered **House Amendment No. 7.**

House Amendment No. 7

AMEND Senate Substitute for Senate Bill No. 539, Page 17, Section 208.151, Line 302, by inserting after the word "**eligibility.**" the following:

"The provisions of this subsection shall not apply to any pregnant woman made eligible for medical assistance benefits under subsection 1 of this section in any fiscal year if in the immediately preceding calendar year the department of health and senior services reported an increase of at least ten percent in the number of abortions performed in this state."; and

Further amend said title, enacting clause and intersectional references accordingly.

Representative Bringer offered **House Amendment No. 1 to House Amendment No. 7.**

House Amendment No. 1
to
House Amendment No. 7

AMEND House Amendment No. 7 to Senate Substitute for Senate Bill No. 539, Page 1, Section 208.151, Line 7, by deleting said line and inserting in lieu thereof the following:

“senior services reported an increase of at least one abortion in”.

Representative Bringer moved that **House Amendment No. 1 to House Amendment No. 7** be adopted.

Which motion was defeated by the following vote:

AYES: 072

Aull	Baker 25	Barnitz	Bland	Bowman
Boykins	Bringer	Brooks	Brown 50	Bruns
Burnett	Chappelle-Nadal	Casey	Chinn	Corcoran
Curls	Darrough	Daus	Deeken	Donnelly
Dougherty	El-Amin	Faith	Fraser	George
Harris 110	Harris 23	Haywood	Henke	Hoskins
Hubbard	Hughes	Johnson 61	Johnson 90	Jolly
Kratky	Kraus	Kuessner	Lampe	LeVota
Liese	Low 39	Lowe 44	Meadows	Meiners
Nance	Nolte	Oxford	Page	Robinson
Roorda	Rucker	Salva	Sander	Schoemehl
Selby	Shoemyer	Skaggs	Spreng	Storch
Villa	Vogt	Wagner	Walsh	Walton
Whorton	Wildberger	Witte	Wright-Jones	Yaeger
Young	Zweifel			

NOES: 084

Avery	Baker 123	Bean	Bearden	Behnen
Bivins	Black	Brown 30	Byrd	Cooper 120
Cooper 155	Cooper 158	Cunningham 145	Cunningham 86	Davis
Day	Dempsey	Denison	Dethrow	Dixon
Dusenberg	Emery	Ervin	Fares	Fisher
Flook	Franz	Goodman	Guest	Hobbs
Hunter	Icet	Jackson	Johnson 47	Jones
Kelly	Kingery	Lager	Lembke	Lipke
Loehner	May	McGhee	Moore	Munzlinger
Myers	Nieves	Parker	Parson	Pearce
Phillips	Pollock	Portwood	Pratt	Quinn
Rector	Richard	Roark	Robb	Ruestman
Rupp	Sater	Schaaf	Schad	Schlottach
Self	Smith 118	Smith 14	Stefanick	St. Onge
Sutherland	Threlkeld	Tilley	Viebrock	Wallace
Wasson	Weter	Wilson 119	Wilson 130	Wood
Wright 137	Wright 159	Yates	Mr Speaker	

PRESENT: 000

ABSENT WITH LEAVE: 006

Marsh	Muschany	Schneider	Stevenson	Swinger
Wells				

VACANCIES: 001

Representative Schoemehl moved that **House Amendment No. 7** be adopted.

Which motion was defeated by the following vote:

AYES: 072

Aull	Baker 25	Barnitz	Bland	Bowman
Boykins	Bringer	Brooks	Brown 50	Bruns
Burnett	Chappelle-Nadal	Casey	Chinn	Corcoran
Curls	Darrough	Daus	Deeken	Donnelly
Dougherty	El-Amin	Faith	Fraser	George
Harris 110	Harris 23	Haywood	Henke	Hoskins
Hubbard	Hughes	Johnson 61	Johnson 90	Jolly
Kratky	Kraus	Kuessner	Lampe	LeVota
Liese	Low 39	Lowe 44	Meadows	Meiners
Nance	Nolte	Oxford	Page	Robinson
Roorda	Rucker	Salva	Sander	Schneider
Schoemehl	Selby	Shoemyer	Skaggs	Spreng
Storch	Villa	Vogt	Wagner	Walsh
Whorton	Wildberger	Witte	Wright-Jones	Yaeger
Young	Zweifel			

NOES: 084

Avery	Baker 123	Bean	Bearden	Behnen
Bivins	Black	Brown 30	Byrd	Cooper 120
Cooper 155	Cooper 158	Cunningham 145	Cunningham 86	Davis
Day	Dempsey	Denison	Dethrow	Dixon
Dusenberg	Emery	Ervin	Fares	Fisher
Flook	Franz	Goodman	Guest	Hobbs
Hunter	Ice	Jackson	Johnson 47	Jones
Kelly	Kingery	Lager	Lembke	Lipke
Loehner	May	McGhee	Moore	Munzlinger
Myers	Nieves	Parker	Parson	Pearce
Phillips	Pollock	Portwood	Pratt	Quinn
Rector	Richard	Roark	Robb	Ruestman
Rupp	Sater	Schaaf	Schad	Schlottach
Self	Smith 118	Smith 14	Stefanick	St. Onge
Sutherland	Threlkeld	Tilley	Viebrock	Wallace
Wasson	Weter	Wilson 119	Wilson 130	Wood
Wright 137	Wright 159	Yates	Mr Speaker	

PRESENT: 000

ABSENT WITH LEAVE: 006

Marsh
Wells

Muschany

Stevenson

Swinger

Walton

VACANCIES: 001

SS SB 539 was laid over.

RE-REFERRAL OF HOUSE BILL

The following House Bill was re-referred to the Committee indicated:

HB 813 - Special Committee on Urban Issues

COMMITTEE REPORTS

Committee on Children and Families, Chairman Phillips reporting:

Mr. Speaker: Your Committee on Children and Families, to which was returned **HCS HB 568**, begs leave to report it has examined the same and recommends that the **House Committee Substitute No. 2 Do Pass**, and pursuant to Rule 25(26)(f) be referred to the Committee on Rules.

Mr. Speaker: Your Committee on Children and Families, to which was referred **SB 21**, begs leave to report it has examined the same and recommends that the **House Committee Substitute Do Pass by Consent**, and pursuant to Rule 25(26)(f) be referred to the Committee on Rules.

Mr. Speaker: Your Committee on Children and Families, to which was referred **SB 501**, begs leave to report it has examined the same and recommends that it **Do Pass by Consent**, and pursuant to Rule 25(26)(f) be referred to the Committee on Rules.

Committee on Crime Prevention and Public Safety, Chairman Lipke reporting:

Mr. Speaker: Your Committee on Crime Prevention and Public Safety, to which was referred **HB 196**, begs leave to report it has examined the same and recommends that it **Do Pass**, and pursuant to Rule 25(26)(f) be referred to the Committee on Rules.

Mr. Speaker: Your Committee on Crime Prevention and Public Safety, to which was referred **HB 272**, begs leave to report it has examined the same and recommends that the **House Committee Substitute Do Pass**, and pursuant to Rule 25(26)(f) be referred to the Committee on Rules.

Mr. Speaker: Your Committee on Crime Prevention and Public Safety, to which was referred **HB 489**, begs leave to report it has examined the same and recommends that the **House Committee Substitute Do Pass**, and pursuant to Rule 25(26)(f) be referred to the Committee on Rules.

Mr. Speaker: Your Committee on Crime Prevention and Public Safety, to which was referred **HB 498**, begs leave to report it has examined the same and recommends that the **House Committee Substitute Do Pass**, and pursuant to Rule 25(26)(f) be referred to the Committee on Rules.

Committee on Health Care Policy, Chairman Cooper (155) reporting:

Mr. Speaker: Your Committee on Health Care Policy, to which was referred **HB 671**, begs leave to report it has examined the same and recommends that the **House Committee Substitute Do Pass**, and pursuant to Rule 25(26)(f) be referred to the Committee on Rules.

Committee on Job Creation and Economic Development, Chairman Richard reporting:

Mr. Speaker: Your Committee on Job Creation and Economic Development, to which was referred **HB 863**, begs leave to report it has examined the same and recommends that the **House Committee Substitute Do Pass**, and pursuant to Rule 25(26)(f) be referred to the Committee on Rules.

Committee on Judiciary, Chairman Byrd reporting:

Mr. Speaker: Your Committee on Judiciary, to which was referred **SB 149**, begs leave to report it has examined the same and recommends that it **Do Pass by Consent**, and pursuant to Rule 25(26)(f) be referred to the Committee on Rules.

Committee on Ways and Means, Chairman Sutherland reporting:

Mr. Speaker: Your Committee on Ways and Means, to which was referred **HB 291**, begs leave to report it has examined the same and recommends that it **Do Pass**, and pursuant to Rule 25(26)(f) be referred to the Committee on Rules.

Committee on Rules, Chairman Cooper (120) reporting:

Mr. Speaker: Your Committee on Rules, to which was referred **HCS HB 66**, begs leave to report it has examined the same and recommends that it **Be Returned to the Committee of Origin**.

Mr. Speaker: Your Committee on Rules, to which was referred **HB 116**, begs leave to report it has examined the same and recommends that it **Do Pass, with no time limit for debate**.

Mr. Speaker: Your Committee on Rules, to which was referred **HB 412**, begs leave to report it has examined the same and recommends that it **Be Returned to the Committee of Origin**.

Mr. Speaker: Your Committee on Rules, to which was referred **HB 560**, begs leave to report it has examined the same and recommends that the **House Committee Substitute Do Pass, with no time limit for debate**.

Mr. Speaker: Your Committee on Rules, to which was referred **HB 691**, begs leave to report it has examined the same and recommends that the **House Committee Substitute Do Pass, with no time limit for debate**.

Mr. Speaker: Your Committee on Rules, to which was referred **HCS HB 586**, begs leave to report it has examined the same and recommends that it **Be Returned to the Committee of Origin**.

Mr. Speaker: Your Committee on Rules, to which was referred **HCS HB 640**, begs leave to report it has examined the same and recommends that it **Do Pass, with no time limit for debate**.

Mr. Speaker: Your Committee on Rules, to which was referred **HB 679**, begs leave to report it has examined the same and recommends that it **Do Pass, with no time limit for debate**.

Mr. Speaker: Your Committee on Rules, to which was referred **SCS SB 69**, begs leave to report it has examined the same and recommends that it **Do Pass by Consent, with no time limit for debate**.

Mr. Speaker: Your Committee on Rules, to which was referred **SS SCS SB 179**, begs leave to report it has examined the same and recommends that it **Do Pass, with no time limit for debate**.

Mr. Speaker: Your Committee on Rules, to which was referred **HCS SCS SB 270**, begs leave to report it has examined the same and recommends that it **Do Pass, with no time limit for debate**.

MESSAGE FROM THE SENATE

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and passed **SS SCS SB 269**, entitled:

An act to repeal section 143.183, RSMo, and to enact in lieu thereof one new section relating to athletes and entertainer tax.

In which the concurrence of the House is respectfully requested.

The following member's presence was noted: Marsh.

ADJOURNMENT

On motion of Representative Dempsey, the House adjourned until 10:00 a.m., Thursday, April 7, 2005.

CORRECTIONS TO THE HOUSE JOURNAL

AFFIDAVITS

I, State Representative Michael Brown, District 50, hereby state and affirm that my vote as recorded on the motion to adopt the emergency clause to House Committee Substitute for Senate Committee Substitute for Senate Bill Nos. 202, 33, 45, 183 & 217 in the House Journal for Wednesday, April 6, 2005 showing that I voted absent was incorrectly recorded. Pursuant to House Rule 88, I ask that the Journal be corrected to show that I voted aye. I further state and affirm that I was present in the House Chamber at the time this vote was taken, I did in fact vote, and my vote or absence was incorrectly recorded.

IN WITNESS WHEREOF, I have hereunto subscribed my hand to this affidavit on this 6th day of April 2005.

/s/ Michael Brown
State Representative

State of Missouri)
) ss.
County of Cole)

Subscribed and sworn to before me this 6th day of April in the year 2005.

/s/ Stephen S. Davis
Chief Clerk

I, State Representative Sara Lampe, District 138, hereby state and affirm that my vote as recorded on the motion to third read and pass House Committee Substitute for House Joint Resolution No. 16 in the House Journal for Wednesday, April 6, 2005 showing that I voted absent was incorrectly recorded. Pursuant to House Rule 88, I ask that the Journal be corrected to show that I voted aye. I further state and affirm that I was present in the House Chamber at the time this vote was taken, I did in fact vote, and my vote or absence was incorrectly recorded.

IN WITNESS WHEREOF, I have hereunto subscribed my hand to this affidavit on this 6th day of April 2005.

/s/ Sara Lampe
State Representative

State of Missouri)
) ss.
County of Cole)

Subscribed and sworn to before me this 6th day of April in the year 2005.

/s/ Stephen S. Davis
Chief Clerk

COMMITTEE MEETINGS

AGRICULTURE POLICY

Thursday, April 7, 2005, House Chamber north side gallery upon afternoon adjournment.
Executive session will be held on: HB 666, HB 853

BUDGET

Thursday, April 7, 2005, 8:00 a.m. Hearing Room 3.
Committee will adjourn at 10:00 a.m.
House Bills 1 through 13.
Executive session may follow.

BUDGET

Thursday, April 7, 2005, 2:00 p.m. Hearing Room 3.
Markup. House Bills 1 through 13.
Executive session may follow.

CONSERVATION AND NATURAL RESOURCES

Thursday, April 7, 2005, Hearing Room 1 upon afternoon adjournment.
Executive session.

CORRECTIONS AND PUBLIC INSTITUTIONS

Wednesday, April 13, 2005, 8:00 a.m. Hearing Room 4.
Executive session may follow.
Public hearings to be held on: SB 174, SB 288, SB 364,
SCS SB 450, SCS SB 502

ELECTIONS

Thursday, April 7, 2005, 1:30 p.m. House Chamber south side gallery.
Executive session.

ELEMENTARY AND SECONDARY EDUCATION

Thursday, April 7, 2005, 8:00 a.m. Hearing Room 4.
Executive session may follow.
Public hearings to be held on: HB 831, HB 842, HB 514, HB 329

HEALTH CARE POLICY

Thursday, April 7, 2005, 8:30 a.m. Hearing Room 5.
Executive session may follow. AMENDED
Public hearings to be held on: HB 802, HB 805, HB 835, SB 323, SB 518

JOB CREATION AND ECONOMIC DEVELOPMENT

Thursday, April 7, 2005, Hearing Room 6 upon afternoon adjournment.
Executive session may follow.
Public hearing to be held on: SB 516

JOINT COMMITTEE ON TERRORISM, BIOTERRORISM AND HOMELAND SECURITY

Thursday, April 7, 2005, 8:30 a.m. House Lounge.
Vote to approve the 12-7-04 report of the Joint Committee on
Terrorism, Bioterrorism and Homeland Security.

JUDICIARY

Thursday, April 7, 2005, Hearing Room 7 upon morning adjournment.
Executive session.
Hearing will begin thirty minutes upon adjournment.

LOCAL GOVERNMENT

Thursday, April 7, 2005, 8:00 a.m. Hearing Room 6.
Executive session may follow. AMENDED
Public hearings to be held on: SCS SB 138, SS SCS SB 210,
SCS SB 262, SB 268, SCS SB 57, SB 242, SB 307

SENIOR CITIZEN ADVOCACY

Thursday, April 7, 2005, 8:00 a.m. Hearing Room 1.

Executive session may follow.

Public hearings to be held on: HB 816, HB 827, HB 859

SPECIAL COMMITTEE ON URBAN ISSUES

Thursday, April 7, 2005, Hearing Room 5 upon afternoon adjournment.

Public hearings to be held on: HB 832, HB 494, SB 380

WAYS AND MEANS

Thursday, April 7, 2005, 9:00 a.m. Hearing Room 2.

Executive session.

HOUSE CALENDAR

FIFTIETH DAY, THURSDAY, APRIL 7, 2005

HOUSE BILLS FOR PERFECTION

- | | | |
|----|--------------------------------|--------------------------------|
| 1 | HB 344 - Baker (123) | |
| 2 | HB 376 - Guest | |
| 3 | HCS HB 576 - Flook | |
| 4 | HCS HB 286 - Bland | |
| 5 | HCS HB 519, as amended - Roark | (3 hours debate on Perfection) |
| 6 | HB 539 - Icet | |
| 7 | HCS HB 474 - Yates | |
| 8 | HCS HB 628 - Byrd | |
| 9 | HCS HB 639 - Cunningham (86) | |
| 10 | HB 410 - Flook | |
| 11 | HCS HB 532 - Spreng | |
| 12 | HCS HB 255 - Cunningham (86) | |
| 13 | HCS HB 387 - Byrd | |
| 14 | HCS HB 525 - May | |
| 15 | HB 530 - Moore | |
| 16 | HCS HB 353 - Lipke | (2 hours debate on Perfection) |
| 17 | HB 205 - Salva | |
| 18 | HCS HB 49 & 50 - Jolly | |
| 19 | HCS HB 209 - Cooper (120) | |
| 20 | HCS HB 461 - Sutherland | |
| 21 | HCS HB 36 - Davis | |
| 22 | HCS HB 400 - Yates | |
| 23 | HB 320 - Muschany | |
| 24 | HB 417 - Yates | |
| 25 | HCS HB 440 - Pratt | |
| 26 | HCS HB 649 - Fares | |

HOUSE BILL FOR PERFECTION - FEDERAL MANDATE

HCS HB 276 - Cunningham (86)

HOUSE BILL FOR THIRD READING

HB 375 - Nance

HOUSE BILL FOR THIRD READING - CONSENT

HCS HB 508, E.C. - Pratt

SENATE BILL FOR SECOND READING

SS SCS SB 269

SENATE BILL FOR THIRD READING

SS SB 539 - Stefanick (7 hours debate on Third Reading)

HOUSE CONCURRENT RESOLUTIONS

- 1 HCR 9, (2-17-05, Page 351) - Bivins
- 2 HCR 15, (3-03-05, Pages 487-488) - Baker (123)
- 3 HCR 20, (3-09-05, Page 553) - Rupp
- 4 HCS HCR 24, (3-30-05, Pages 777-778) - Bowman

HOUSE RESOLUTION

HR 1117, (3-10-05, Page 587) - Wright (137)